IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.1248 OF 2005

Viral Enterprise ..Petitioner.

Vs.

Municipal Corporation of Greater Mumbai & Ors. ..Respondents.

....

Mr.G.C.Mohanty for the Petitioner.

Mrs.A.R.Joshi for the BMC.

...

CORAM : DR.D.Y.CHANDRACHUD, J.

5th May, 2005.

P.C. :

Counsel appearing for the Municipal Corporation states that a copy of the order that has been passed by the competent authority in pursuance of the directions which were issued by a Learned Single Judge of this Court on 4th July, 2003 in Writ 2156 of 2000 (Exh.E) shall be furnished to the Petitioner within a period of two weeks from today. Counsel appearing on behalf of the Petitioner, in the circumstances, prays for

leave to withdraw the Petition with liberty to file an appeal under Section 217 of the Mumbai Municipal Corporation Act, 1888. The Petition is accordingly dismissed as withdrawn with liberty as prayed.

In order to enable the Petitioner to take recourse to the alternate remedy, there shall be a direction to the effect that for a period of four weeks after the reasoned order is supplied to the Petitioner, the Corporation shall not take coercive steps.